

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

BARTLEY M. MULLEN, JR., individually and
on behalf of all others similarly situated,

Plaintiff,

v.

APPLE AMERICAN GROUP LLC;
APPLE PENNSYLVANIA LLC,

Defendants.

Case No. 2:19-cv-00996-MJH

STIPULATION OF DISMISSAL

Plaintiff Bartley M. Mullen, Jr. and Defendants Apple American Group LLC and Apple Pennsylvania LLC, by and through their undersigned counsel and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate that:

1. This action shall be DISMISSED with prejudice as between Plaintiff and Defendants;
2. Plaintiff's motion for class certification was withdrawn on August 29, 2021, and no class has been certified in this action. Therefore, neither class notice nor court approval of this dismissal is required under the Federal Rules; and
3. Each party shall bear its own costs and fees, including attorneys' fees, incurred in connection with this action.

Dated: January 26, 2022

/s/ Nicholas A. Colella

Kelly K. Iverson
Nicholas A. Colella
LYNCH CARPENTER, LLP
1133 Penn Avenue, 5th Floor
Pittsburgh, PA 15222

Respectfully submitted,

/s/ Jennifer S. Rusie

Jennifer S. Rusie
Jackson Lewis P.C.
CitySpace
611 Commerce Street
Suite 3102

(412) 322-9243
kelly@lcllp.com
nickc@lcllp.com

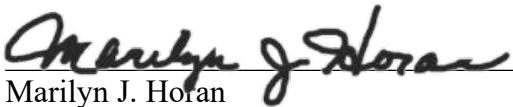
R. Bruce Carlson
CARLSON BROWN
222 Broad St.
PO Box 242
Sewickley, PA 15143
724-730-1753
bcarlson@carlsonbrownlaw.com

Attorneys for Plaintiff

Nashville, TN 37203
(615) 915 3300
Jennifer.Rusie@jacksonlewis.com

Attorney for Defendants

It is so ordered this 26th Day of January 2022.


Marilyn J. Horan